

SENATE BILL 1902

By Haile

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 1, Part 1, relative to adoption
proceedings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-1-117, is amended by adding the
following new subsection:

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(1) The court hearing an adoption proceeding shall suspend any
adoption proceeding and conduct an expedited status hearing within thirty (30)
days of the date the adoption proceeding was scheduled if:

(A) A petition for adoption has been filed;

(B) Notice of the adoption proceeding has been served upon the
putative father or established father;

(C) The putative father or established father has not surrendered
parental or guardianship rights to the child, executed a parental consent
that has been confirmed by the court, or waived the person's rights
pursuant to § 36-1-111(w) or (x);

(D) The court gives notice that a default judgment will be entered;
and

(E) On the date of the default judgment hearing the established
father or putative father appears and asserts the father's rights and
contests the adoption proceeding.

(2)

(A) Notice to the established father or putative father of the status hearing shall include notice that at the hearing the court may determine if the parental rights of the father should be terminated if the father chooses not to surrender any parental rights to the child. The court shall first inquire at the hearing whether the established father or putative father desires to surrender parental or guardianship rights to the child, execute a parental consent subject to confirmation by the court, or waive the person's rights pursuant to § 36-1-111(w) or (x).

(B) If the established father or putative father is not willing to surrender parental rights pursuant to subdivision (2)(A), the court shall conduct a hearing to determine if it is in the best interests of the child to terminate the parental rights of the child pursuant to § 36-1-113(g)(9), or any other ground for termination of parental rights found in § 36-1-113(g).

(3) The termination hearing shall be conducted in accordance with § 36-1-113.

(4) Using the standards of § 36-1-113, if the parental rights of the established father or putative father are terminated, the adoption proceeding shall be reset within thirty (30) days from the termination of parental rights, and the adoption shall proceed as provided in § 36-1-113(l).

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to all adoption petitions filed on or after that date.